

Kerry W. Thornley: "Open Mike" w/ Bob Ruark - St. Petersburg, Fla.  
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Our guest is Kerry Thornley who has testified during the Warren Commission investigation of the Kennedy assassination. He testified and is in the records. He has now been subpoenaed to New Orleans for the Grand Jury investigation being conducted by District Attorney Jim Garrison. If you start dialing now you will be one of the first on to question our guest. The numbers to call in Tampa, 229-7976, in St. Petersburg 525-2131.

Kerry, I want to thank you for getting here. Actually, a little trouble; we were going to schedule you about 10 o'clock and you were a little late getting here.

KERRY: I didn't show up on time, right?

RUARK: Well, that's alright. Sometimes you have a little trouble finding the place and I'm not going to tell anybody where we are because we hide.

KERRY: Sure do.

RUARK: Actually, you called me about correcting some items which you felt were mistakes by Mr. Weisberg when he was a guest earlier in - this month, was it? Let me see --

KERRY: No; it was last month, the 22nd of last month.

RUARK: Do you recall the particular points? Now, I could get the tape out and play those particular portions which pertain to it but I imagine that you may recall those points.

KERRY: I recall them quite well; I stayed up the night after I heard them, going over them in my mind because I was quite irritated. I didn't intentionally stay up; I stayed awake all night thinking about them.

First of all, the context in which these statements are made, I'd like to remind anyone, or inform anyone who isn't aware, on the ninth of last month District Attorney Garrison made the statement that I had failed to tell the whole truth to the Warren Commission and then went on to make some accusations which I have maintained all along and continue to maintain were totally false, about me being associated with Oswald in New Orleans. But Mr. Garrison is apparently going upon the basis of witnesses so I can't blame him for making these statements; perhaps he has reason to believe that they are true.

However, Mr. Weisberg came up on the air on the 22nd of last month and made some statements about me which I know he knew better than to consider them true because in each case they were half truths and I feel that Mr. Weisberg didn't tell the whole truth and I'd like to provide some of the enlightening details regarding these statements.

To begin with, a minor thing, he mentioned that "Oswald" was not a book, but a pamphlet. Mr. Ruark, is that a book, or a pamphlet as far as format goes?

RUARK: What, is this by you? Is this what --

KERRY: That's, that's right. That's a paperback which --

RUARK: Well, alright, I'll -- in the context of a book, this is a book. Now in the context of the size of his works he might consider it a pamphlet by size. But it is a paperback book.

KERRY: Yeah. Well, the only reason I object to this is because I felt it gave the impression that "Oswald" was something that I ran off in my cellar and was passing out on Canal St. in New Orleans and that --

RUARK: Let me, by the way, give the people an opportunity to, since we are identifying this, it's printed by New Classic House. It's called "Oswald" by Kerry Thornley and it's 7N777 Allied, is the number. And, again, New Classic House is the printer. Let me see if there is an address in case people wish to --

KERRY: They're in Chicago, Illinois, and I think they are listed in the phone book under Novel Books, Inc.

RUARK: Right. A division of Novel Books, Inc., 2715 N. Pulaski Rd., Chicago. And it has in, just a plain cover, nothing on the cover except one little circle and an arrow --

KERRY: Which is an out-of-context quote.

RUARK: In your own book, huh?

KERRY: Just on the cover.

RUARK: It says, "I have never ~~known~~ personally known an individual more motivated by a genuine concern for the human race than Lee Harvey Oswald." It's the cover of your book and it's a misquote, huh?

KERRY: It was, "I have never personally known an individual motivated by what appeared to be a ~~genuine~~ more genuine concern for the human race," and the publisher wanted to sell books so he shortened it. However, inside the book, anything under my by-line, I'll say that for him, he didn't change a word. That's all just as I said it.

I don't continue to agree with all the things I said. One of them was the assumption that Oswald was the lone assassin which I made at that time on the basis of the Warren Report.

Alright. Mr. Weisberg said that it wasn't for me to decide whether I was a material witness in New Orleans and that I was uninformed on the matter because the reason I was being called was because I had testified to the Warren Commission that Oswald had a "secret" clearance. Well, I did not testify that Oswald had a "secret" clearance; I testified that there was a rumor to that effect, that I had heard once and I couldn't remember at the time where I had heard it and I still can't remember where I heard it.

Then Mr. Weisberg went ~~on~~ to say that not only did Oswald have a "secret" clearance but he had a "top secret, crypto" clearance which is, I understand, the highest you can get and he didn't say this as one who is guessing, he said this as one who knows. So I assume he has proof for it. Well, in this case, if Mr. Weisberg can prove that Oswald had a "top secret, crypto" clearance, I don't see ~~why~~ why Mr. Garrison needs me to stand up in front of the Grand Jury ~~and~~ in New Orleans and say that I once heard a rumor that Oswald had a "secret" clearance. Now, I'm not challenging that he can prove ~~it~~ that; I think it's very possible that Oswald maybe did have a "top secret crypto" clearance.

RUARK: Let me interrupt there because, again -- you did hear the show?

KERRY: Yes.

RUARK: I was under the impression, now that you bring that up, that he was making reference to and using as a source on that the commanding officer of Oswald. He said he testified that was, this happened --

KERRY: Did he say this? If he said this, I don't, I certainly don't recall it.

RUARK; This is what popped into my mind and I'm not sure either until I play back the tape. But I had that impression. But go ahead

KERRY: Well, the fact is that even tracking down the rumor would be difficult unless I can remember who told it to me and I wasn't in the habit of writing down the source of every bit of scuttlebutt I heard in the service and I've been thinking about it ever since, well, you know, a couple of years now and I still don't remember.

And also, I have reason to doubt Mr. Weisberg's correctness of his information because the Certificate of Court which I received from Louisiana upon the basis of which my summons was issued had nothing about that subject in it. They said they wanted to call me down there to question me on my associations with Oswald in New Orleans in 1963 which it said in the Certificate of Court I had not been questioned about which ~~is~~ which was also a false statement because I had been asked if I had seen Oswald in New Orleans in '63 and I had told the Warren Commission definitely not.

Alright. Then, the next point was that a gentleman called up and mentioned that I hadn't had counsel at my hearing. Well, the reason I didn't have counsel was because I waived it because I had decided earlier that day not to fight extradition and I called Mr. Garrison's office and I told him that I had decided not to fight extradition and that I was willing to cooperate with them fully because I had got to a point where I had decided that I would be better taking a chance on Garrison's honesty and going to New Orleans and clearing myself with him than fighting the matter.

And then Mr. Weisberg came up on the air and said well it was my own fault for not having an attorney at my hearing, giving thereby the impression that I had fought extradition and lost and I wish to clear up that point. Either the information that -- I assume that Mr. Weisberg was calling from New Orleans and, if so, he hadn't been by the District Attorney's office that day.

RUARK: I can clear up that particular point for you, Kerry, due to the fact that I was making the call. He was in Frederick, Md., at the time.

KERRY: Oh.

RUARK: And I read, prior to that question, I read the news release that was given by the local press here as to, "the judge declared" this or that and that. So based upon the only information he had is that you went to trial --

KERRY: Okay.

RUARK: -- and that you defended yourself. I think that it was probably just a normal assumption, you could have had an attorney if you wanted it --

KERRY: Yes.

RUARK: -- but he wasn't even aware of it until we went on that night. He wasn't even aware that you appeared in court.

KERRY: Okay. Well, then I'm not unhappy about that.

And then finally there is the point about not being very public spirited. I have a very kooky political philosophy which gets me into a lot of trouble and -- Because I can't be classified as a right-winger or as a left-winger but I look like a left-winger to the right-wingers and I look like a right-winger to the left-wingers, and the middle-of-the-road people don't know what to make of me but they think I'm some kind of extremist - and I guess I am.

Because one thing I'm ~~opposed to~~ very much opposed to is all sorts of violence, including legalized, law-and-ordered socially acceptable violence such as forcing -- any such violence that involves initiating force against a man who ~~is~~ has not committed any sort of crime against property or person. So therefore I

object to the power of subpoena, I object to the draft, and I object to putting people into slave-labor camps and I say that the only difference between these three things is a matter of degree.

A man can be subpoenaed for maybe two days, he can be drafted for a couple of years and put into a concentration-camp for a couple of decades. But once the principle of a man's inalienable rights to his liberty is violated it's up to the politician, and the bureaucrat and the judge from then on to decide who gets how much liberty when. And I think that's a dangerous habit to get into and I don't wish to convert others to my belief particularly but I do not wish to participate in processes, at least voluntarily, where I cause other people to be subpoenaed, people who are innocent, who are just being subpoenaed as witnesses. And the first time I cooperated just a little bit with Mr. Garrison back in September when I made out, swore out a signed statement for him clearing up some points in my Warren Commission testimony he used that information to call a guy in and question him against his will and that was why I didn't wish to cooperate with Mr. Garrison.

And I believe that that is public-spirited because this man was a member of the public and I believe being public-spirited is refraining from harming people who are members of the public, refraining from interfering with their private lives.

And that's really all I have to say. Thank you very much, Bob.

RUARK: Actually, Kerry, you wouldn't mind answering any questions --

KERRY: Not at all.

RUARK: -- of the people regarding this, so the people can call in. As you say, your philosophy is unusual, only to the point though I say unusual, where you mention subpoena. Now, of course, there's conflict and controversy on drafts so that's not unusual. We have this back and forth.

But in that of subpoena, this strikes me odd due to the fact that since, obviously, the right by a court to bring forth witnesses is to determine whether or not you are depriving a man of his life and liberty.

KERRY: Yes. Well, of course, the purpose of the draft is to defend liberty. I mean, we have all these justifications but it's, the thing is, it's not up to one man to decide how another man is to act on behalf of liberty and freedom. That's my feeling.

RUARK: Well, I can understand your feeling but, let's say, that ~~personally~~ I think personally ~~that~~ that you're going a little far on the subpoena but this is of course your feeling and this is your right to have a feeling like that. But in order for a person to have his rights protected it would only be necessary for those with information which can either clear him or indict him available to the court.

KERRY: I believe there are other ways ~~is~~ of handling this --

RUARK: You're speaking of deposition type of thing --

KERRY: Well, not only that. It would probably take a good half hour or so to get into it. But, I believe that basically, even, so long as a man, if we believe in this country, a man is innocent until he is proven guilty. We should act as if we believe that and we shouldn't throw people in jail while they're awaiting trial. And we should, I believe, and this is something that I ~~think~~ just think would be ideal. It's not something I'm trying to go around converting people to because I don't believe it's worth my time to do so because I don't think I could make that many converts to make any changes.

But I believe the way to try a man would be to say, "O.K., your trial is

set for such and such a date. If you want to appear and not be tried in absence, show up," you know. But, even that --

RUARK: Well, let's face it, this is what does happen in effect except for the degree of the case. You certainly wouldn't want someone apprehended in the act of murdering someone to voluntarily come to court at a certain date. So we're speaking of degrees now.

KERRY: There're matters of degrees here and I, unfortunately, can't claim to be a man of principle because I recognize matters of degree. And I believe that, I don't really go so far as to object to the power of subpoena when it's used, what I regard - of course, this is always a matter of individual choice. When I think it's being used discreetly, I don't raise a fuss about it. But I also felt that Garrison was using it indiscreetly simply on the basis of what I knew with my personal experience. Because the only crime this man had committed, or the only thing that, he became a suspect and he was subpoenaed ~~and he was subpoenaed as a witness because he was under suspicion.~~ And the only information I provided was that this man spoke Russian with Oswald in the ranks at morning musters in MACS 9 back when I was in that outfit.

And I felt that, and Mr. Garrison developed a very, a theory that this man was a CIA agent who had been recruiting Oswald at that time.

RUARK: Kerry, I wonder, before we take our first phone-call, could you give us a very fast thumb-nail sketch, just so people will be aware, of when you first came into contact with Oswalds. In other words, what are the periods of contact that you had with him, so this will be a basis to work off of?

KERRY: There was only one period of contact. I met him when I was in MACS 9 about three months before I went overseas and he had just gotten back from overseas and I went to the outfit that he had been in, later, as we were sort of ships passing in the night - one of us going one direction, him going out of the Marine Corps and me about to go to Japan.

We got acquainted, in this particular outfit we were in, we were both interested in ideas and we had a lot of time to sit around talking in that particular outfit because we were watch-standers, or "scope-dopes", as they're called in the Marine Corps. And so we got acquainted well enough so that when he defected to the Soviet Union some months later - or attempted to defect - I decided to write a book about him because, a novel about a character based on him, because I by then felt that I understood why he became disillusioned with the United States and that's what I wanted to explain in the book.

RUARK: Now, you say 'defected'?

KERRY: Attempted to defect; he wanted to renounce his citizenship apparently.

RUARK: Oh. In other words, he had already been discharged from the Marine Corps.

KERRY: Right. He went over, walked into the American Embassy, plopped down his passport. I read it -- See, I was in his old outfit, now, when this happened. I was over in MACS 1 in Japan and I was seeing the types of things that he called 'American imperialism' which amounted to Marines beating up on taxi-cab drivers and pushing people around and just lording it over the Japanese people like conquering heroes and later the people in the Philippines and the people in so-called Free China when we were down there - which I didn't find any freer than I imagine the People's Republic of China is. The People's Republic --

RUARK: Now, what year was this?

KERRY: This was all, this was when, let's see, this was late 1959, just a few months after Oswald and I had known each other at El Toro that I read about this in the papers, in the 'Stars and Stripes' overseas, and I had been planning to

write a book on the Marine Corps and that gave me my theme, I felt. I would describe how a high-charging young Marine gradually became totally disillusioned with the United States, ~~so~~ so much so that he wanted to join the enemy.

RUARK: Now you mentioned 'Free China' - were you in Taipei --

KERRY: We were in Taiwan, we were in Ping-Tung (Phon.) when I was down there. Oswald had gone down there on the previous maneuver and I don't know where he was stationed when he was down there. We were at a little Air Force base on the opposite end of the island of Taipei.

That place, that country is just a complete dictatorship. The people have to stand up in the movies and sing the national anthem while a picture of Chiang Kai-shek is projected on the screen. And at that time I, too, just became just very bitter about, what were we doing over there supporting this character, what were we doing?

And the thing was, American Marines could get away - literally, if they wanted to - could get away with murder in Formosa. Because the Chinese government was so interested in keeping the good-will of the American government because it wanted to invade the mainland someday with U.S. Marines that Chinese officers, Chinese colonels and generals would salute Marine enlisted men, you know.

And Marines could go out on liberty and some of them did and would like take rickshas or peddicabs and throw them over the bridge - some man's whole means of making a living destroyed like that, just for no reason, just sheer sadism, you know. And they were allowed to get away with this by the Chinese government because it was so interested in having American assistance in the future.

RUARK: Alright. Let's go to the phone lines. Good evening, Open Mike. Hello. Yes?

PHONE: We had Mr. Weisberg on Open Mike twice, right?

RUARK: Right.

RHONE: Now, during those two sessions he criticized the Warren Commission. Now, Mr. Thomson, you have read his books no doubt. Do you find any of his criticisms based on facts or on just hypothesis?

KERRY: I would say that many of Mr. Weisberg's criticisms, many of Mr. Mark Lane's criticisms, many of Maggie Fields' criticisms, many of Josiah Thompson's criticisms, many of Mort Sahl's criticisms Mort Sahl has made public and many of the criticisms that Mr. Garrison has made public in his speeches, I think are based on fact.

RUARK: Alright. Thank you for calling. Good evening, Open Mike.

PHONE: Hi.

RUARK: Hi.

PHONE: Get this radio away from me. I believe Mr. Thornley was speaking of Mr., a fellow named Heindel that he named in his testimony to Mr. Garrison and he said Mr. Garrison later called him in for questioning?

KERRY: That is correct.

PHONE: Mr. Heindell is mentioned in several places in the Warren Commission Testimony so that you weren't the 'only one who mentioned his name.

KERRY: I had been under the understanding that the only other place it's mentioned at least, of course, I may have been entirely incorrect here because I was relying upon the opinion of one critic of the Commission, that the only place it was mentioned was in Mr. Heindell's affidavit where he mentions that he had used the nickname 'Hidell' sometimes, which of course was the name under which Oswald ordered the rifle.

PHONE: No; he's referred to in questioning some of the other witnesses. I was just checking it a little while ago to be sure because I wasn't too certain of it either. So you don't have to feel so guilty about it anymore.

KERRY: Well good. Thank you. I'm glad to hear that because I'm going to be in Mr. Garrison's hands in a few days probably and any assurance I can have that he's operating on a, on the basis of more evidence than I sometimes think he is, I'm glad to hear.

PHONE: I have a great deal of respect for him because he has so much to lose.

KERRY: He does; he does have a great deal to lose and, but the thing, Mr. Garrison got at one time had a great deal of my respect in New Orleans when he tore into the judges down there. I thought that was very courageous act and --

RUARK: When was this?

KERRY: Oh -- this was just not too long after he was elected. I was down there at the time and he carried that all the way to the -- they sued him for defamation and he carried it all the way to the Supreme Court finally and won it. But I spent so much time defending Mr. Garrison back in those days and I heard so many arguments against him that I finally, I finally capitulated to the other side and I was, I quite frankly, when I first heard that he undertaking this investigation, it just didn't sound right to me. It sounded -- I didn't see how a man who was as reckless as he was, and sometimes I felt there was as much dubious comment about him in the Quarter and elsewhere in New Orleans, I just didn't see why he'd be taking up a politically suicidal thing like this. And I didn't follow it cause I wasn't interested particularly. I'm sort of tired of hearing about Oswald and about the Kennedy assassination and the whole thing.

And so I feel that perhaps I was - I am, shall we say - somewhat misinformed upon - or ill-informed - upon what Mr. Garrison specifically has been doing over the past few months and I've been trying to catch up. And I find that in some areas I come to admire him more and in other areas I come to have less admiration for him.

PHONE: I think I have to admire his courage. Now, someone asked you a question about the critics' basing their criticism on fact. There are a couple of us that have been very conscientiously checking on Mr. Weisberg and his references to the 26 volumes. And there are only a couple of places where we would have any fault to find. One of those, he didn't go as far as he could have; he could have gone much further with his criticism. The other place, it's a matter of interpretation.

RUARK: Since, and, Kerry, I'm, ah, take this liberty here.

KERRY: Sure.

RUARK: This lady, I believe, is the same one that called and quoted the commanding officer's testimony out of the 26 volumes. Would you happen to have that handy so I can refresh my memory, since I know that Weisberg made reference to his commanding officer? I wonder if you could, if you had it handy, could you read that particular portion of the testimony? Perhaps that --

KERRY: Was this Col. Poindexter, by the way?

PHONE: Donovan.

KERRY: Yeah, because he was Commanding Officer when I knew Oswald and --

RUARK: Now, did you hear the name she said?

KERRY: I asked if ~~she~~ it was Poindexter and I thought she said, "One of them".

PHONE: No; John Donovan.

KERRY: Oh, Donovan. He was not Oswald's commanding officer, by any stretch of the

imagination. He was a lieutenant in that outfit and, I believe - I guess he was a First Lieutenant. He, I'm, unless there was another Donovan who also happened to be Oswald's commanding officer at one time, that man's definitely was a lieutenant in MACS 9.

RUARK: Alright, would you, do you happen to have that handy, that testimony?

PHONE: No; I don't have that volume. I do have what Donovan said; I have it some place else.

KERRY: O.K. Well --

RUARK: Ah, if you get a chance, I would appreciate it if you could look out that particular volume and see how they, what ~~particular~~ title they gave him, as to what ~~position~~ his position --

KERRY: I'll tell you what he probably was. He was probably Officer in Charge of Oswald's section in MACS 9, which was the Operations Section.

Now, there's another thing I'd like to mention in connection with the 26 volumes. I don't think it's necessary to read Mr. Weisberg's books, or Mr. Lane's books or any of these people's books to become a skeptic of the Warren Report. I think it's only necessary to skim through the 26 volumes and I think it takes about a half an hour before you begin to see the discrepancies, if you've paid any attention when you read the Warren Report.

PHONE: The most outstanding thing to me and the thing that I was so disappointed about: Time after time, a witness will be shown a statement that he supposedly made to the F.B.I. and he'll say, "I didn't say that". This even happened to Secret Service men who said they made no statements at all and yet there were statements credited to them.

KERRY: Well, there's something to think about here. Now, if there was a high-level cover-up of some kind, just because the Warren Report and the 26 volumes contradict each other doesn't mean that one of them is the whole truth and, two men contradict each other, they can both be liars, too. And both of these sets of information were issued by the government. The question is, why did they choose to issue two contradictory, mutually contradicting, sets of information?

PHONE: In other words, why did they leave it lying around where someone could pick it up?

KERRY: Perhaps, I don't know, I've, I sometimes get very paranoid about all this and I think maybe, I think maybe the 26 volumes were designed to lead to a second cover-up after the first one fell apart. This is always a possibility.

RUARK: Alright, thank you for calling.

PHONE: -- on Donovan's --

RUARK: Alright, fine. Thank you. Goodnight. Good evening. Open Mike.

PHONE: Good evening, Mr. Ruark. I would like to ask your guest, Mr. Thornley, about Jim Garrison. Incidentally, is he going to write a book on Jim Garrison?

KERRY: (Laughter) I don't know. I've sort of loosely thrown the idea around. I hate to write a book on Jim Garrison because for this reason. I feel that Jim Garrison has been treated extremely unfairly by the press. ~~It~~ I have, I have, I, I have read his Playboy interview and his speeches too and even though I don't agree with the man and I don't agree with his methods and I sometimes doubt his sincerity and his motives and everything else. The press treatment he has gotten even in that case has been unfair and I would hate to add to that. But then again, if I felt that I really had something to contribute, you know, I ~~would~~ can only say that after I go to New Orleans, really. Any book I write would be based on personal experience.

PHONE: ---?--- Jim Garrison was on the "Tonight" show a couple of nights ago and Johnny Carson played the Devil's Advocate and Jim Garrison said that there was no evidence to indicate Oswald participated in the assassination but he did indicate that Ruby was implicated by several witnesses. Now, did you, did you, did you come to this conclusion? And, also, oh, I had this, can't ---

RUARK: Well, let's leave it with that.

KERRY: Yeah. That's a pretty big question right there. I'll tell you what, I haven't come to any, any real conclusions because, once again, I have not considered the whole thing that important; with my particular semi-anarchistic political views, I consider it more the normal course of events for the government to cover up things and to lie about them than for it to tell the truth about them. And I believe the government lied about the attack on Pearl Harbor.

There was a man who called up after Mr. Weisberg spoke and went down this big list of things, that, well, if you wanted to, you could look into this and you could look into that. Well, almost every one of those things, I think there was a cover-up involved, including the Lincoln assassination. But, the point is, I think governments always say whatever is politically most expedient and I think in a democracy they have to lie more because they are dependent on the votes of the people to stay in office. So, if anything, dictatorships are, if more ruthless, more, also, somewhat more honest at times.

But the, so I haven't been following it closely enough. One of the critics of the Commission contacted me shortly after my book came out and showed me the 26 volumes because in my book I had assumed that Oswald was guilty. And I mentioned that it was an assumption in the book, that I did operate on that assumption in so far as I even tried to figure out what was going through his head at the time he committed the assassination. And this critic of the Commission showed his set of the 26 volumes and, gee whiz, after one evening I was a critic of the Commission but never a very earnest one and never a very scholarly one and I have no theories as to Oswald's innocence or guilt. I believe that Jack Ruby was certainly one of the most mysterious, the questions around him are bigger and harder to answer, it seems, than around anyone else. These, all kinds of inexplicable little contradictions and details in the testimony about him and so forth. But I really don't know, in answer to your question, sir.

RUARK: Alright. Thank you for calling. Goodnight. Good evening, Open Mike. Hello. Hello. Are you there? O.K., we've got a little foul-up on the lines, I guess, so if you want to get in, you can still make it if you start dialling now 229-7976 in Tampa, 525-2131 in St. Petersburg, and address your questions to our guest, Kerry Thornley, who will soon be - when do you have to testify before the grand jury in New Orleans, Kerry?

KERRY: Well, provided I don't come up with a legal out, I'll have to be down there on the eighth or the ninth and --

RUARK: That's of this month?

KERRY: Yeah.

RUARK: Oops. We're talking about Thursday --

KERRY: Pretty soon.

RUARK: -- and Friday of this week, huh?

KERRY: Yeah.

RUARK: Now, that will be in New Orleans and you've already testified, of course, to a - where was you first questioned when the Warren Commission Report was being, or the Warren Commission was investigating?

KERRY: I was living in Arlington, Virginia, at that time which Mr. Garrison has used as evidence to one of my friends that I'm also an agent for the CIA because I went to Arlington, Virginia, after the assassination. He didn't also implicate me with George Lincoln Rockwell so far, as far as I know. I was working as a doorman near Arlington, Virginia, at that time. I had gone there ~~xxx~~ at the invitation of a friend of mine whom I had known since the third grade and I feel I'm on fairly safe grounds there in demonstrating my innocence of having gone back to report to CIA headquarters.

I was in Arlington working as a doorman, as I say, and they called me up, Mr. Jenner called me up and asked me if I would be willing to testify. Of course, once again, this is like Garrison asking me to cooperate voluntarily.

Oh, that's another thing I forgot to mention. Mr. Weisberg made this gesture to a friend of mine, that I could cooperate voluntarily. He forgot to mention that at his side at that time was this Barbara Reed who thinks she saw me with Oswald back in September, expressing incriminating statements and suspicions about me the whole time he was trying to get my cooperation through Clint Bolton, but that's neither here nor there.

I was asked if I'd come down and testify and I, of course, said I would since I knew I had no choice and I got some papers to that effect a few days later, ordering me to come and explaining my rights to me and so forth. And I went across on a bus, over into Washington. The testimony was taken in a VFW building which is just ~~kind~~ sort of catercornered in back of the Supreme Court there, up on the second floor where the President's Commission had its offices.

I did not testify before the assembled Commission of Earl Warren and so on and so forth. Very few people did. I testified before Albert Jenner and an assistant, John Ely, I believe his name was, who left the room after about the first ten minutes of testimony. There was just Jenner and I and a court reporter in the room when I testified. I saw Allen Dulles when I was there and I saw Lee J. Rankin, passing in the halls and this sort of thing, but --

RUARK: At the local VFW club?

KERRY: Yeah, at -- well, it was the VFW-owned building --

RUARK: Oh, I see.

KERRY: -- and it was upstairs and it was all, there was no notice downstairs that it was up there or anything. I don't know whether they were, whether it was a cloak and dagger thing or not. Maybe I'm divulging secret information.

RUARK: How did you -- how did they happen to contact you to begin with? How did they know that you had been associated with him?

KERRY: Well, right, after the assassination a number of things happened. For one thing I was, I was no admirer of President Kennedy's as I'm no admirer of President Johnson's or back to President Lincoln or President Washington or even, Thomas Jefferson was the closest president I come to admiring and I think he was somewhat of a hypocrite because when he got into office he undid most of the things he, he undid most of the principles he stood for by - well, first of all, making the ~~xxx~~ Louisiana Purchase. But, be this as it may.

I felt like people were acting like a bunch of British subjects and the king had just been killed and I said something to that effect: "The King is dead!" and somebody said, "Long live the King!" and I said, well, you know, "That's your opinion." And this immediately caused somebody else to say that I was behaving in poor taste, which just provoked me all the further because I believe that dictatorship, if anything, is ~~just~~ being forced to abide by some other man's idea of what good taste is. So I --

and I was all, I can make all kinds of excuses for myself - I was working 12 hours a day at the time and I was having a deteriorating relationship with a young woman, and so forth. So I just kept needling all these people about the Kennedy assassination, asking them if they had been crying like that when the people in Katanga were all butchered with U. S. support, and so on and so forth.

And then, that afternoon, somebody walks into the restaurant where I am working and says, "Well, they caught the guy who did it." And I said, "Oh, what was his name?" And he says, "I don't remember but he was an ex-Marine who had been to Russia." And I said, "Oh, Oswald!" "I know him." And I think somebody called the FBI shortly thereafter. Actually, I understand, I was told by Mr. Jenner that an artist from Pirates' Alley named Tony Shambroski had called the Secret Service or the FBI and they came to interview me, oh, within, Saturday midnight and the FBI came to see me a little later that week and then I went to see the FBI once when Oswald was shot, volunteering my help because I really began to realize that human beings were being killed when I saw a picture of Oswald on the front page, you know. Because I had known him and it looked just like he had looked back in MACS 9 and he was, with that terribly surprised expression on his face and that slug going right into his gut.

And that was really the first time it really got through to me that people were, you know, that human beings were actually, a human being had been killed, you know. And at this time, everybody was going around acting very cheerful and glib about it, the same people that had been so shocked about my callousness about the Kennedy assassination. So I went to the FBI at that time and also offered my services because I was beginning to suspect that, I thought Oswald had been silenced, you know. They weren't interested. ~~They weren't interested. They weren't interested. They weren't interested.~~ They, they, I think were already pretty set on the lone ~~assassination~~ assassin theory though I don't know. I shouldn't say that; that was just a private opinion. But they --

And then there was also an article about me in the local New Orleans paper, that I had written this book on Oswald, based on Oswald, "The Idle Warriors", a novel which I sent out to two publishers and it was rejected so I didn't pursue it, the matter any longer but I was rewriting it when the Kennedy assassination took place.

RUARK: Now, you had picked Oswald for a subject for a book prior to his involvement in the assassination?

KERRY: Yeah, on the basis of his defection to the Soviet Union which was really a big deal for us, you know. Here, I had known somebody who had defected to the Soviet Union and, wow! you know. And that was, that was really big international, Orient Express type stuff at that time and I thought, well, that's a great subject for a book; I'll explain why this happened and, as I felt I could. And I think I may have missed the boat a little, looking back on it now. I have --

But I, in many respects I think, a lot of the reasons I gave in that book for Johnny Shelburn, my hero, ending up going to Russia were valid for Oswald as well - if he was really not a government agent and if he really did go there because he was disillusioned with the United States.

RUARK: Now, you say, "if he really was not a government agent" - is there any doubt in your mind as to whether he was or wasn't?

KERRY: Well, not only to the, not in my mind, not based upon any concrete evidence that I have because, once again, I haven't pursued, been pursuing it. But that seems to be a very wide spread opinion of many critics of the Commission, including Garrison, I understand, is that he was some kind of CIA agent or, now, the latest, Garrison's latest is that he was an FBI informer.

I find this hard to believe, that he was a ~~ex~~ CIA agent because if he was, he was just such a good one. Because he didn't come across like a guy who was

capable. Well, even, you know, the idea of him being capable of going to the Soviet Union was kind of surprising to me. He just, he just didn't come across as a very efficient sort of person and you always think of spies as - of course, I'm sure they pick people who don't look like spies when they pick spies so it's a double-bind sort of thing. I really can't say, you know.

RUARK: Kerry, we're going to have to break it up for time. I want to thank you for being our guest and being able to explain on those particular points that you took issue with Weisberg and we'll probably be hearing something about you from New Orleans, right?

KERRY: I hope it's good.

RUARK: Alright.

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The question of the correct designation of Lt. John Donovan was cleared the following evening. According to Donovan's testimony, he was the "officer in command", not the "commanding officer".

PHONE: ---?--- Jim Garrison was on the "Tonight" show a couple of nights ago and Johnny Carson played the Devil's Advocate and Jim Garrison said that there was no evidence to indicate Oswald participated in the assassination but he did indicate that Ruby was implicated by several witnesses. Now, did you, did you, did you come to this conclusion? And, also, oh, I had this, can't ---

RUARK: Well, let's leave it with that.

KERRY: Yeah. That's a pretty big question right there. I'll tell you what, I haven't come to any, any real conclusions because, once again, I have not considered the whole thing that important; with my particular semi-anarchistic political views, I consider it more the normal course of events for the government to cover up things and to lie about them than for it to tell the truth about them. And I believe the government lied about the attack on Pearl Harbor.

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There was a man who called up after Mr. Weisberg spoke and went down this big list of things, that, well, if you wanted to, you could look into this and you could look into that. Well, almost every one of those things, I think there was a cover-up involved, including the Lincoln assassination. But, the point is, I think governments always say whatever is politically most expedient and I think in a democracy they have to lie more because they are dependent on the votes of the people to stay in office. So, if anything, dictatorships are, if more ruthless, more, also, somewhat more honest at times.

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But the, so I haven't been following it closely enough. One of the critics of the Commission contacted me shortly after my book came out and showed me the 26 volumes because in my book I had assumed that Oswald was guilty. And I mentioned that it was an assumption in the book, that I did operate on that assumption in so far as I even tried to figure out what was going through his head at the time he committed the assassination. And this critic of the Commission showed his set of the 26 volumes and, gee whiz, after one evening I was a critic of the Commission but never a very earnest one and never a very scholarly one and I have no theories as to Oswald's innocence or guilt. I believe that Jack Ruby was certainly one of the most mysterious, the questions around him are bigger and harder to answer, it seems, than around anyone else. These, all kinds of inexplicable little contradictions and details in the testimony about him and so forth. But I really don't know, in answer to your question, sir.

RUARK: Alright. Thank you for calling. Goodnight. Good evening, Open Mike. Hello. Hello. Are you there? O.K., we've got a little foul-up on the lines, I guess, so if you want to get in, you can still make it if you start dialling now 229-7976 in Tampa, 525-2131 in St. Petersburg, and address your questions to our guest, Kerry Thornley, who will soon be -- when do you have to testify before the grand jury in New Orleans, Kerry?

KERRY: Well, provided I don't come up with a legal out, I'll have to be down there on the eighth or the ninth and --

RUARK: That's of this month?

KERRY: Yeah.

RUARK: Oops. We're talking about Thursday --

KERRY: Pretty soon.

RUARK: -- and Friday of this week, huh?

KERRY: Yeah.

RUARK: Now, that will be in New Orleans and you've already testified, of course, to a -- where was you first questioned when the Warren Commission Report was being, or the Warren Commission was investigating?

Kerry W. Thornley interview, 5 February 1968, WLCY radio "Open Mike" program. 10:30 P.M. - 12:30 A.M.